

1 CRAIG H. MISSAKIAN (CABN 125202)
United States Attorney

2 MARTHA BOERSCH (CABN 126569)
3 Chief, Criminal Division

4 ABRAHAM FINE (CABN 292647)
MOLLY PRIEDEMAN (CABN 302096)
5 LLOYD FARNHAM (CABN 202231)
Assistant United States Attorneys

6 1301 Clay Street, Suite 340S
7 Oakland, California 94612
Telephone: (510) 637-3717
8 Abraham.fine@usdoj.gov
Molly.priedeman@usdoj.gov
9 Lloyd.farnham@usdoj.gov

10 Attorneys for United States of America

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 SHENG THAO,
18 ANDRE JONES,
DAVID TRUNG DUONG, AND
19 ANDY HUNG DUONG,

20 Defendants.
21

Case No. 25-CR-0003-YGR

[PROPOSED] PROTECTIVE ORDER
REGARDING GRAND JURY TRANSCRIPTS

22
23 The United States, through undersigned counsel, and the defendants in this criminal case,
24 through undersigned counsel, stipulate and agree to the entry of a Protective Order as follows:

25 In the above-captioned case, the government intends to seek leave of the Court to provide to
26 counsel for the defendants access to certain transcripts of witnesses who testified before the grand jury
27 investigating this matter. These transcripts may contain information that is relevant to the government's
28 discovery obligations, including Rule 16, *Brady*, *Giglio*, and the Jencks Act, and at the request of

1 defendants' counsel, the government has agreed to seek leave to provide these materials.

2 However, the grand jury transcripts contain sensitive information and are protected matters that
3 occurred before the grand jury, and the parties agree that special protective measures are necessary to
4 protect the confidentiality and secrecy of the grand jury proceedings.

5 For any grand jury witness transcripts provided to any counsel for the defense in this case, the
6 following restrictions apply to the receipt, handling, copying, review, and storage of those transcripts:

7 1. The transcripts will be provided as electronic files protected by encryption.

8 2. The transcripts shall be viewed, accessed, and available only to counsel formally engaged
9 to represent a defendant in this matter (i.e., a defendant's counsel of record), and shall not be further
10 distributed or made available for review.

11 3. The transcripts will be stored by any counsel receiving them in a secure location, either in
12 counsel's offices or in a separate electronic location only accessible to a defendant's counsel of record
13 attorneys and attorney-employed professional staff working on the matter, and other individuals
14 contracted or retained by a defendant's counsel of record. Individuals contracted or retained includes
15 paralegals, law clerks, discovery coordinators, investigators and experts (including mitigation experts)
16 retained by a defendant or counsel of record.

17 4. The transcripts may not be provided to a defendant, except that a defendant may review
18 the transcripts in the presence of their counsel of record, an attorney or attorney-employed professional
19 staff, and the reviewing defendant may not make or retain copies or photographs of the transcripts or any
20 excerpt or portion of the transcripts.

21 5. The transcripts will only be used in connection with the representation of a defendant in
22 this criminal matter, and not further disclosed in any manner, including by providing to other parties,
23 witnesses, counsel, third parties or otherwise.

24 6. The substance of statements made in the grand jury may be used by counsel in
25 connection with representation of defendants and may be discussed with other counsel for any defendant
26 in this matter, and potential witnesses, but only in a manner that does not involve the disclosure of the
27 transcript, in whole or part, to those parties.

28 7. The transcripts (or any portion) may not be filed in the public docket in this case or any

1 other related proceeding, and if filed must be submitted under seal and with leave of the Court pursuant
 2 to Local Rule 56-1.

3 8. Counsel signing this protective order, or who have given concurrence for the electronic
 4 signatures below, are responsible for compliance with this order by all other attorneys and professional
 5 staff working with counsel on the representation of a defendant. Counsel signing must disclose the
 6 existence and terms of this Protective Order to any person who has access to or reviews the transcripts,
 7 including attorney-employed professional staff and any defendant.

8 9. Within 60 days after the expiration of any time to appeal or challenge any final judgment
 9 or disposition, including any challenge through habeas proceedings, any counsel who received the
 10 transcripts must return any paper copies to the U.S. Attorney's Office and delete all electronic copies of
 11 the transcripts, and if requested certify such return and destruction to the U.S. Attorney's Office.

12 DATED: November 7, 2025

CRAIG H. MISSAKIAN
 United States Attorney

14 /s/
 ABRAHAM FINE
 MOLLY K. PRIEDEMAN
 LLOYD FARNHAM
 Assistant United States Attorney

18 /s/
 JEFFREY TSAI
 DARRYL TARVER
Counsel for Defendant Sheng Thao

22 /s/
 MARK GOLDROSEN
 SHAWN HALBERT
Counsel for Defendant Andre Jones

26 /s/
 ED SWANSON
 AUGUST GUGELMANN
 JEFFREY SCHENK
Counsel for Defendant David Duong

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/s/

WINSTON CHAN
DOUGLAS SPRAGUE
ERIK BABCOCK
Counsel for Defendant Andy Duong

IT IS SO ORDERED

DATED:

HON. YVONNE GONZALEZ-ROGERS
United States District Judge